

REMARKS

Claims 83, 85, and 87-168 are pending in the application. Claims 23-162 and 166-168 have been withdrawn from consideration. Hence, claims 83, 85, 87-122 and 163-165 remain subject to examination.

Finality of Office Action

The Examiner states that Applicants' amendment of November 17, 2009, necessitated the new grounds of rejection. However, Applicants believe that the finality of this Office Action is improper. A final Office Action is improper if the Examiner introduces a new ground of rejection that was not necessitated by an amendment. Independent claims 95 and 108 were amended in the November 17, 2009 Amendment to delete the phrases "and excellent formability" and "or less" to overcome the 35 U.S.C. §112, second paragraph rejections set forth by the Examiner in the Office Action of August 18, 2009. Accordingly, that amendment to claims 95 and 108 did not necessitate the new prior art rejection set forth by the Examiner in the final Office Action. The Examiner could have set forth this rejection in the first Office Action. In fact, the Kodama publication was submitted in the Supplemental Information Disclosure Statement filed November 25, 2008. The amendment to independent claims 95 and 108 merely clarified these claims in response to the Examiner's 35 U.S.C. §112, second paragraph rejection. Applicants respectfully request that the finality of the present Office Action be withdrawn.

Rejection under 35 U.S.C. §112

Claims 99 and 114 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Applicants have amended claims 99 and 114 herein to delete "or less". Applicants believe that with this amendment the Examiner's indefinite rejection should be withdrawn.

Claim Rejections under 35 U.S.C. §103

Claims 83, 85, 87-122 and 163-165 stand rejected under 35 U.S.C. §103(a) as being obvious over WO 2003/031670 to Murakami ("Murakami"). In addition, claims 83, 85, 87-112 and 163-165 stand rejected under 35 U.S.C. §103(a) as

being obvious over JP 10-158782 to Kodama et al. ("Kodama"). The Examiner admits that Murakami and Kodama each fail to teach the features of independent claims 83, 95, and 108 but contends that such features would be obvious in view of the teachings set forth in the Murakami and Kodama publications. Applicants respectfully request withdrawal of the rejections based on the following remarks.

The present application relates to a cold rolled strip having high yield strength, high non-aging properties, improved workability, and a method for manufacturing the same, characterized by the inclusion of C, Mn, S, P, Al, N, and Cu, the numerical limitation of the composition range of Mn/S, Cu/S, Mn+Cu, and (Mn+Cu)/S, the limitation of the average size of the precipitates of MnS, CuS and (Mn, Cu)S to 0.2 μm or lower, and the hot rolling, coiling, cold rolling and annealing thereof.

Murakami relates to a steel sheet for a container having a weld which can prevent a decline in productivity caused by buckling during the process of annealing the steel sheet, the occurrence of cracks at a weld during the manufacturing of a can, and the occurrence of cracks at a weld during the use of a can.

Kodama relates to a steel sheet for a shadow mask free from MnS series inclusions exerting an adverse influence on its pierceability.

Applicants believe that the present invention differs from Murakami and Kodama in the technical field, in that the present application relates to a cold rolled steel sheet primarily suitable for use in automobile bodies, electronic appliances, and the like.

Murakami, on the other hand, relates to an ultra-thin steel sheet used as a material for a can produced by welding, and a method of producing the steel sheet as represented by the production of a three-piece can.

Kodama relates to a steel sheet for a shadow mask having pierceability and press formability at the time of photoetching.

Thus, the inventions of Murakami and Kodama fail to teach or suggest the steel sheet of the present invention.

Furthermore, the present invention differs from Murakami and Kodama in the limitation of the composition range of Mn/S, Cu/S, Mn+Cu and (Mn+Cu)/S. Therefore, the present invention has high yield strength due to fine precipitates and an

excellent balance of strength-ductility as well as excellent workability. To the contrary, Murakami and Kodama do not include such a technical feature. Thus, Murakami does not teach or suggest the limitation of the composition and precipitates.

Moreover, the present invention has a technical feature in the limitation of the average size of the precipitates to 0.2 μm or lower. Murakami, on the other hand, includes no such technical feature.

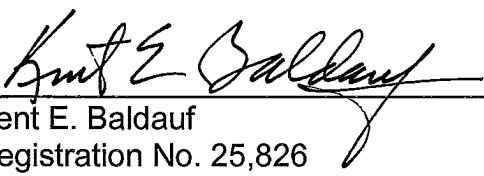
The Examiner asserted that Kodama discloses 0.05-2 μm of MnS precipitates. However, the range of precipitates of the present invention, 0.2 μm or lower, is not apparent in Fig. 1 of Kodama.

Thus, Applicants maintain that the present application has an inventive step over Murakami and Kodama in that the present invention differs from Murakami and Kodama in the technical field, the purpose of the invention, and the constitution of the invention.

Based on the foregoing amendments and remarks, Applicants submit that the pending claims are patentable over the prior art of record and are in condition for allowance. Accordingly, reconsideration of the outstanding rejections and allowance of pending claims 83, 85, 87-122 and 163-165 are respectfully requested.

Respectfully submitted,

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